

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Donald Sanders,

Plaintiff,

Civil File No. 17-cv-5106-ECT-KMM

v.

BNSF Railway Company,

Defendant.

**PLAINTIFF'S
MOTION IN LIMINE TO
EXCLUDE OSHA AND
NATIONAL RAILROAD
ADJUSTMENT BOARD
DETERMINATIONS**

Plaintiff Donald Sanders, through his counsel of record, hereby moves the Court for an order excluding from trial the determination and rationale from the Occupational Safety and Health Administration ("OSHA") and National Railroad Adjustment Board Determinations ("NRAB") related to Plaintiff's retaliation complaint.

This motion is based upon the Federal Rules of Evidence, upon all of the arguments and authorities presented in Plaintiff's accompanying memorandum of law, upon any declarations and exhibits that may be filed, and upon all files, records and proceedings in this action, and such other and further information or evidence that may be required by the Court.

Respectfully Submitted:

Dated: November 17, 2021

NICHOLS KASTER, PLLP

s/Lucas J. Kaster
James H. Kaster #53946
kaster@nka.com
Lucas J. Kaster #396251
lkaster@nka.com
Matthew A. Frank #395362
mfrank@nka.com
80 South Eighth Street
4700 IDS Center
Minneapolis, MN 55402-2242
Telephone: (612) 256-3200

ATTORNEYS FOR PLAINTIFF